

REMARKS

Status of the Application

This amendment is being filed concurrently with a Request for Continued Examination (RCE), along with a Petition under 37 C.F.R. §1.103(c) for a three (3) month suspension of time.

Claims 1-10 are currently pending in the application. Claims 1 and 7 are currently amended. Reconsideration and allowance of all of the pending claims is respectfully requested. New matter is not being introduced into the application by way of this amendment. The amendment to claim 1 is supported at page 26, line 1, of the specification. The amendment to the substrate limitations of claim 7 is supported, for example, at page 4, line 20 of the specification, and at page 19, line 14 of the specification. The amendment to the "polysilicon" limitation of claim 7 corrects a typographical error and is supported at page 18, lines 18-19 of the specification. Accordingly, no new matter is added, and entry of this amendment is respectfully requested.

Examiner Interview

The Applicants would like to thank the Examiner for the courtesy shown in the telephonic interview held on March 15, 2007. The amendment of claim 1 to recite a pH of 10.5-12 was primarily discussed. The Examiner's comments in the interview were taken into consideration when preparing the current reply.

Claim Rejections – 35 U.S.C. §112

Claim 7 is rejected under 35 U.S.C. §112, first paragraph as failing to comply with the enablement requirement. Claims 9-10 are rejected under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner asserts that the specification does not support the recitation of "polysilicone" in claim 7. The Examiner also asserts that claims 9 and 10 are outside the scope of claim 7. Claim 7 is currently amended to address each of these rejections. Accordingly, withdrawal of both rejections is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 1-4 and 6-10 are rejected under 35 U.S.C. §103(a) as unpatentable over **EP '836** (EP 1 036 836) alone, or in view of **Liu US '795** (U.S. 6,299,795) and/or **Ina US '803** (U.S. 6,315,803).

Claims 1-10 are rejected under 35 U.S.C. §103(a) as unpatentable over **EP '501** (EP 1 020 501) alone, or in view of **Liu US '795** and/or **Ina US '803**, and further in view of **EP '836** (EP 1 036 836).

For the reasons given below, each of these rejections is respectfully traversed and reconsideration and withdraw of the same are respectfully requested.

Applicants respectfully submit that the prior art does not disclose or suggest the polishing composition of claim 1 with a pH of from 10.5-12. EP '836 only discloses compositions with a pH of from 2.5-10. See EP '836 at paragraph [0059]. The Examiner asserts at page 5, lines 12-17 of the outstanding Office Action, that the pH range disclosed by EP '501 is considered to be the same as that disclosed by EP '836. See in particular page 5, line 17 of the

outstanding Office Action. Therefore both references disclose, at most, a pH range of 2.5-10 as recited in EP '836 at paragraph [0059]. The prior art also provides no hint or suggestion of using a pH of greater than 10.

Applicants have petitioned for a three (3) month suspension of action in this case. Applicants are considering the submission of additional evidence to support the patentability of claim 1, as discussed during the interview. Applicants will submit any additional evidence in a supplemental reply before the expiration of the three (3) month suspension of action. If a supplemental reply is not submitted, the Examiner is respectfully requested to contact applicants prior to the issuance of the next Office Action.

CONCLUSION

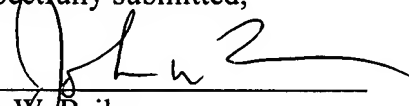
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

Should there be any outstanding matters that need to be resolved in the present Application, the Examiner is respectfully requested to contact J. Mark Konieczny (Reg. No. 47,715) at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present Application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: April 30, 2007

Respectfully submitted,

By 

John W. Bailey

Registration No.: 32,881

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

